

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROOT, INC. <i>et al.</i>,)	
)	
<i>Plaintiffs,</i>)	Judge Sarah D. Morrison
)	
v.)	Magistrate Judge Elizabeth Preston Deavers
)	
Brinson Caleb “BC” SILVER, <i>et al.</i>)	Case No. 2:23-cv-00512
)	
<i>Defendants.</i>)	

**RECEIVER’S SIXTH INTERIM REPORT, RECEIVERSHIP PLAN
AND APPLICATION FOR FEES AND EXPENSES OF RECEIVER AND
COUNSEL TO RECEIVER COVERING THE PERIOD
DECEMBER 1, 2023 THROUGH DECEMBER 31, 2023**

In accordance with the requirements of this Court’s *Order*, filed May 12, 2023 (ECF 99), *Order Appointing Receiver*, filed May 17, 2023 (ECF 101), and *Order Amending Order Appointing Receiver*, filed June 7, 2023 (ECF 120) (hereinafter collectively “Receiver Order”), Jerry E. Peer, Jr. (“Receiver”), has taken possession and/or control of all monetary and real property assets of Mr. Brinson Caleb Silver, Collateral Damage, LLC and Eclipse Home Design, LLC (hereinafter collectively “Defendants”) known to Receiver, unless otherwise indicated herein. Pursuant to the Receiver Order and 28 U.S.C. §§ 754, 959 and 1692, Rule 66 of the Federal Rules of Civil Procedure, Receiver has completed this Sixth Interim Report and Receivership Plan and accompanying schedules (“Sixth Report”), which covers the period from December 1, 2023 through and including December 31, 2023 (the “Sixth Interim Period”).

I. INTRODUCTION

By way of the Receiver Order, Receiver was appointed to assume complete control and oversight of all monetary and real property assets of Defendants. Since the filing of the Fifth Report, Receiver has continued his efforts to identify and take possession of all monetary and real property assets of Defendants. At this time, Receiver is unaware of any assets of Defendants that

are not in Receiver's possession or under his control, with the exception of a bank account located in Jakarta, Indonesia, and another at Evolve Bank and Trust, which are addressed further below. During the Sixth Period, Receiver and his counsel have focused primarily on developing a comprehensive liquidation plan for the assets in Receiver's possession or under his control and executing on that plan.

A. 19803 Vista Del Otero, Ramona, California 92065 ("Ramona").

Receiver engaged Gryphon Realty for the public sale of the Ramona California home, which concluded on October 18, 2023 with a high bid of \$1,360,300. Subsequent thereto, Receiver submitted to this Court a motion to confirm the public sale of the Ramona property (ECF 177), and this Court has granted Receiver's motion (ECF 188).). Immediately preceding closing, Receiver was notified of a foreclosure forfeiture that had taken place without any notice to Receiver. As a result, the Ramona property was to be transferred to the mortgagee. However, prior to its transfer, Receiver and his counsel worked cooperatively with mortgagee to close the auction sale and pay the mortgagee in full. This sale closed on December 11, 2023 and the net proceeds of sale, in the amount of \$77,578.95, were deposited with Receiver. A copy of the Settlement Statement is attached hereto as "**Exhibit A.**"

B. 9125 North Bayshore Dr., Miami Shores, Florida 33138 ("Bayshore").

Receiver has several updates as to the Florida property located at 9125 North Bayshore Dr., Miami Shores, Florida 33138. As mentioned below, Miami 555, LLC, the current mortgagee for the Bayshore property, filed a foreclosure action in Florida State court. Receiver engaged Florida local counsel to represent Receiver and successfully secured a stay of the foreclosure action due to this Court's Order Appointing Receiver. Notwithstanding the foregoing, during the Fifth Period, Miami 555 filed its Motion to Lift the Litigation Stay in hopes of moving forward with the foreclosure of the property (ECF 191). Receiver and Plaintiff opposed Miami 555's

motion for the reasons stated therein. This Court granted Miami 555's motion (ECF 215), and it has renewed its efforts in moving forward with its foreclosure.

As this Court is aware, Receiver negotiated and filed his Motion to Employ Serhant and Marco Tiné ("Realtor"), who specializes in properties the same or similar to the Bayshore property (ECF 178), which was granted by this Court (ECF 189). Receiver has determined that listing the property for immediate sale is in the best interest of the estate. Realtor has procured an offer which Receiver has accepted for \$3,700,000.00, and Receiver has filed his *Motion of Receiver, Jerry E. Peer, Jr., to Sell Certain Real Property of Defendant, Eclipse Home Design, LLC, at Private Sale, Free and Clear of All Interests, Liens, Claims, and Encumbrances and to Distribute Sale Proceeds* (ECF 220) which is now pending before this Court. Although Receiver has obtained a quote from KabCo Kitchens for the restoration of the Bayshore property, due to the urgency of the pending foreclosure action and the contract for the sale of the property, Receiver has elected to forego any motion to recommend performing renovation work at the property. It is anticipated that that the closing will occur within 30 days of the filing of this Report, and a settlement statement will be included with the next interim report.

Receiver has assured Miami 555 that its mortgage will be satisfied in full at closing and further offered to work with its counsel in preparation of the proposed order granting the sale of the Bayshore property. A copy of the proposed order has been prepared and provided to Miami 555's counsel for review and comments.

C. 2543 Walnut Ave., Venice, California 90291 ("Walnut").

This property, located in Venice, California, is expected to be offered for sale by and through an auction listing with terms similar to the Ramona, California sale. Receiver has filed his *Motion of Receiver, Jerry E. Peer, Jr., to Employ Gryphon Asset Advisors, LLC as Auctioneer and to Offer Certain Real Property for Public Sale* (ECF 218). No objections to this motion have

been filed at this time. Receiver believes that equity remains in the Walnut property and anticipates that the eventual sale of Walnut will yield additional monies for the receivership estate.

D. 8331 Bleriot Ave., Los Angeles, California 90045 (“Bleriot”).

Receiver has been in communication with the owner of 8331 Bleriot, Los Angeles, California, which was previously leased by Mr. Silver. Located therein was the personal property of Mr. Silver. Receiver and his counsel have inspected the property and do not currently believe the personal property to be of significant value as confirmed by several professionals who have reviewed the personal property items. As such, Receiver has determined that such items have no value and that it is in the best interest of the estate to abandon the same. To this end, Receiver has filed a motion to abandon certain personal property at Bleriot (ECF 199), which this Court has granted in a notational order (ECF 210).

E. 2018 Range Rover and 2017 Mercedes GLE350.

As mentioned in the Fifth Report, Receiver has taken possession of a 2019 Range Rover owned and driven by Mr. Silver. Further investigation has revealed that the title to this Range Rover is encumbered by a loan through Ally bank, the delinquent payoff amount of which exceeds the value of the vehicle. As such, Receiver has determined to abandon it back to Ally bank. Receiver has filed a motion to abandon the Range Rover (ECF 199), which this Court has granted in a notational order (ECF 210). Receiver will coordinate with the lender for its orderly disposition.

Additionally, Receiver has also taken possession of the 2018 Mercedes GLE350, which is owned by Mr. Silver and was driven by Ms. Laurie Mannette. Receiver has researched the value of the Mercedes and engaged in negotiations with prospective buyers. In light of its present condition and based upon its year, make, model, and miles, Receiver has determined the Mercedes to be worth approximately \$16,000 - \$18,000. Receiver has received an offer to purchase the

vehicle for \$14,200.00. A motion to sell the Mercedes at a private sale free and clear of any and all interests, liens, claims, and encumbrances has been filed (ECF 198), which this Court has granted in a notational order (ECF 210). Receiver will proceed with the sale of this asset and deposit the proceeds from its sale in the receivership estate account.

F. Other Assets.

On September 15, 2023, this Court approved Receiver's motion to sell a certain plane dock owned by Defendant. This transaction is now complete, and the proceeds from this sale have been deposited into the receivership estate account.

Receiver has received an offer to purchase a certain Heybike for \$500.00. A motion to sell this item at a private sale free and clear of any and all interests, liens, claims, and encumbrances has been filed (ECF 205), which this Court has granted in a notational order (ECF 210). Receiver will proceed with the sale of this asset and deposit the proceeds from its sale in the receivership estate account.

As mentioned above, at this time, the only known asset not currently in the possession or control of Receiver is the bank account located in Jakarta, Indonesia and another at Evolve Bank and Trust. Mr. Silver has represented that the funds in these accounts have been exhausted, however, Receiver believes there may be significant funds deposited into these accounts and has requested that Defendants provide the information necessary to take control of the balance of that account, or to confirm that these accounts have indeed been exhausted. In addition, Receiver has recently taken possession of Mr. Silver's laptop computer and mobile phone. Receiver has engaged an IT professional to create an image of each device and review the information to assist with the collection of assets and/or information useful to Receiver.

II. RECEIVERSHIP PLAN

This Sixth Report will set forth (1) Receiver's intentions moving forward with regard to

both identifying and taking control of assets as well as liquidating assets of value; (2) a statement of assets in Receiver's possession or under his control; (3) anticipated transactional costs to be incurred; (4) anticipated duration of the administration of this estate; (5) engagement of professionals to carry out Receiver's responsibilities; (6) estimated date by which an appraisal and sale by Receiver can occur and whether it will be public and/or private sales of the real property; and (7) any litigation or administrative proceedings that are underway or anticipated.

1. Receiver's Goal/Expectations For Administration.

During the Sixth Interim Period, Receiver and his counsel have devoted efforts to formulating a liquidation plan for the assets in Receiver's possession or under his control. As mentioned above, Receiver has completed the sale of the Ramona California property and expects to be listing the Walnut property within the next 30 days. As for the Bayshore property, Receiver has filed a motion for authorization to enter into a contract for its sale at \$3,700,000.00, and unless objections are filed, Receiver anticipates closing on this property in the next 30 days.

2. Statement of Assets.

At this time, Receiver has not identified any new assets of the estate that have not been previously reported to this Court and the parties. As of December 31, 2023, Receiver currently has \$457,265.24 on deposit. A copy of Receiver's account register reflecting that amount, as well as the December 2023 Huntington National Bank statement, are attached hereto as "**Exhibit B.**"

3. Anticipated Transactional Costs and Administrative Expenses.

It is difficult for Receiver to project the anticipated transactional and administrative costs of this estate. While certain expenses are customary and expected, such as administrative fees, utilities, insurance, and other related operating expenses, costs are highly variable and may fluctuate greatly. Receiver expects to incur certain fees, commissions, and expenses associated with the liquidation of the assets and further administration of the estate. The anticipated costs

will also depend greatly on success in taking control of the real estate and liquidating the assets in a cost-efficient manner. Receiver further requests an allowance of \$2,500 per month for related ongoing administrative expenses.

4. Duration of this Receivership.

Based upon this plan and Receiver's initial research, it is estimated that the duration of this receivership estate is six (6) months or longer. This estimated duration is largely dependent upon the success of Receiver to identify and take possession of additional assets, negotiating a proposed sale of the respective assets, and the approval of any such sale by this Court.

5. Engagement of Professionals.

Receiver has engaged in negotiations with property managers in both Florida and California to assist with securing and maintaining the respective properties until sold. In addition, subject to this Court's approval, Receiver has engaged legal counsel in each state to address pending litigation as well as bringing actions for eviction, if necessary. Lastly, Receiver has and expects to engage appraisers, real estate brokers and/or auctioneers to assist with selling the properties. Any such engagement(s) will be subject to this Court's prior approval.

6. Estimated Date of Appraisal and Sale.

In an effort to reduce costs and for the time being, Receiver is presently relying on valuation information previously provided by Plaintiff and value estimates provided by real estate brokers and managers. Should Receiver determine at a later date that an appraisal or other valuation is necessary for the properties, Receiver will immediately obtain such appraisal and provide same to the Court and parties. Receiver is not including valuation information in this Sixth Interim Report in an effort not to publicly disclose same to any potentially interested buyers. Receiver will provide all information in its possession to the Court or any party upon request.

Notwithstanding the above, due to the nature of Defendants' business, it is difficult for

Receiver to estimate at this time how long it may take to receive an offer for the real estate and any other assets not sold at public sale.

7. Litigation and Administrative Proceedings.

Receiver reports that at this time he is only aware of a pending foreclosure action filed in Dade County, Florida against the Bayshore Drive property. Receiver has also learned of the eviction action discussed above and has contacted counsel for the Plaintiff to come to an agreement that provides the Plaintiff with the possession of the property while also securing the personal property located therein. Should any additional proceedings be initiated or discovered, Receiver will immediately file a Suggestion of Stay, pursuant to the terms of this Court's Receiver Order.

III. CLAIMS

Receiver has identified various creditors/claimants of Defendants. Receiver has provided notice of the receivership to all known creditors/claimants of Defendants for which Receiver has valid addresses. As claims are received, a creditor matrix will be provided with subsequent interim reports, identifying the claimant and amount of each claim. Receiver notes for the Court no independent analysis or review of the validity or allowance of such claims will be undertaken by Receiver until assets of the receivership estates are sold, at which time any claims will be reviewed and a recommendation as to the treatment of those claims will be submitted by Receiver.

IV. FEES AND EXPENSES

1. Receiver Fees and Expenses.

As required by the Receiver Order, Receiver is making application to the Court for interim allowance of compensation and reimbursement of out-of-pocket expenses. Please note that while Mr. Jerry E. Peer, Jr. was appointed as Receiver, due to the volume of work necessary, both Mr. Gregory S. Peterson and Mr. Istvan Gajary have performed certain services and billed that time at the Receiver rate of \$150 per hour rather than the counsel rate of \$250 per hour to assist with

controlling the costs of administration. A detailed summary of activity for Receiver is attached hereto as “**Exhibit C**”. Receiver requests allowance and payment of interim compensation and expenses in the amount of \$3,330.00 to compensate Receiver for the hours expended and expenses incurred during the Sixth Interim Period.

2. Peterson Connors LLP Fees and Expenses.

Pursuant to the Receiver Order, Receiver employed the services of Mr. Peer, Mr. Peterson, and Mr. Gajary of Peterson Connors LLP (collectively “PetersonConnors”) as its legal counsel. Receiver requests interim allowance and payment of compensation to PetersonConnors in the amount of \$24,037.50 for services rendered to Receiver and \$15.96 for expenses incurred during the Sixth Interim Period. Attached hereto as “**Exhibit D**” is the itemization setting forth the breakdown of time expended and costs advanced by PetersonConnors during the Sixth Interim Period.

3. Dickinson Wright PLLC Fees and Expenses.

Pursuant to the Receiver Order, Receiver employed the services of Dickinson Wright PLLC (“Dickinson”) as its legal counsel in relation to the litigation pending in Florida. Receiver requests interim allowance and payment of compensation to PetersonConnors in the amount of \$4,778.50 for services rendered to Receiver. Attached hereto as “**Exhibit E**” is the itemization setting forth the breakdown of time expended and costs advanced by Dickinson during its engagement by Receiver.

V. CONCLUSION

Receiver respectfully submits this Sixth Report and further respectfully requests that this Sixth Report and Receiver’s Sixth Interim Application for Allowance and Payment of Fees and Reimbursement of Expenses be approved.

Respectfully submitted,

PETERSON CONNERS LLP

/s/ Istvan Gajary

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Counsel for Receiver, Jerry E. Peer, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was filed electronically on this 29th day of January, 2024 with the Clerk of Court using the CM/ECF system. Service will be made through the Court's CM/ECF system on all parties and attorneys so registered, and all parties may access this filing through the Court's system.

A copy was also sent by regular U.S.P.S. mail to the following:

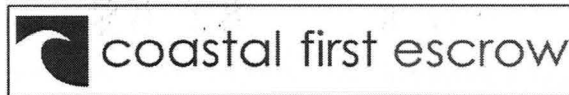
BRINSON CALEB SILVER
BUTLER COUNTY JAIL
Inmate No. 303850
705 Hanover Street
Hamilton, Ohio 45011

COLLATERAL DAMAGE, LLC
c/o BRINSON CALEB SILVER
BUTLER COUNTY JAIL
Inmate No. 303850
705 Hanover Street
Hamilton, Ohio 45011

ECLIPSE HOME DESIGN, LLC
c/o BRINSON CALEB SILVER
BUTLER COUNTY JAIL
Inmate No. 303850
705 Hanover Street
Hamilton, Ohio 45011

Paige McDaniel
5576 Alexanders Lake Rd.
Stockbridge, Georgia 30281

/s/ Istvan Gajary
ISTVAN GAJARY (0089084)



1217 Camino Del Mar
Del Mar, CA 92014

Phone: (858) 481-5128
Fax: (858) 430-5822

Prepared by: Rosa Vargas

SELLER'S FINAL SETTLEMENT STATEMENT

PROPERTY: 19803 Vista Del Otero
Ramona, CA 92065

DATE: December 12, 2023

SELLER: Eclipse Home Design, LLC

CLOSING DATE: December 11, 2023
ESCROW NO.: 022124-RV

	<u>DEBITS</u>	<u>CREDITS</u>
CONSIDERATION		
Total Consideration		1,496,330.00
PAYOFF CHARGES - NewRez		
[Total Payoff \$1,268,583.98]		
Principal Balance	1,110,000.00	
Interest on Principal Balance	82,243.90	
Interest on Principal Balance		516.98
Recording Fee	184.00	
Fees	6,808.99	
Prepayment Penalty	55,500.00	
Funds owed by Borrower	14,403.40	
Funds owed to Borrower		39.33
PRORATIONS/ADJUSTMENTS		
County Taxes at \$9,192.62/semi-annually from 12/11/2023 to 01/01/2024		1,021.40
Highland Hills Estates Association, Inc. at \$1,000.00/annually from 12/11/2023 to 07/01/2024		555.56
COMMISSION CHARGES		
Coastal Premier Properties	54,412.00	
Gryphon USA	81,618.00	
H.O.A./MANAGEMENT		
2023 Annual Contribution to Highland Hills Estates Association, Inc.	1,000.00	
TITLE/TAXES/RECORDING CHARGES - Chicago Title		
Recording Certified Court Order	41.00	
Transfer Tax - County to San Diego County	1,646.15	
1st Half Property Tax 2023-24 to San Diego County Tax Collector	10,111.88	
ESCROW CHARGES - Coastal First Escrow		
Title - Escrow Fee	2,870.00	
Title - FTB Processing Fee	45.00	
Net Proceeds	77,578.95	
TOTAL	\$ 1,498,463.27	\$ 1,498,463.27

SAVE THIS STATEMENT FOR INCOME TAX PURPOSES

Exhibit A

Huntington National Bank

**Peterson
Conners LLP**
ATTORNEYS AND
COUNSELORS AT LAW

Type	Date	Description of transaction	Cleared Y/N	Debit (-)	Credit (+)	Balance
wire	5/23/23	13105 Biscayne closing proceeds	Y		\$570,811.34	\$570,811.34
	5/31/23	Interest	Y		\$0.93	\$570,812.27
fee	6/15/23	Incoming Wire Fee	Y	\$18.00		\$570,794.27
fee	6/15/23	monthly fee, waived	Y	\$40.00	\$40.00	\$570,794.27
	6/30/23	Interest	Y		\$14.08	\$570,808.35
1001	7/11/23	Peterson Conners LLP	Y	\$77,574.02		\$493,234.33
1002	7/20/23	Kristin Hess, AC reimb.	Y	\$2,788.00		\$490,446.33
dep	7/24/23	Shellpoint funds	Y		\$16,513.89	\$506,960.22
1003	7/27/23	Calif. Auto. Ins. Co., 2543 Walnut Ave prem.	Y	\$1,260.15		\$505,700.07
	7/31/23	Interest	Y		\$13.28	\$505,713.35
1004	8/3/23	*void check*	-	\$0.00	\$0.00	\$505,713.35
1005	8/3/23	Daniel's Landscaping, 19803 Vista Del Otero	Y	\$2,250.00		\$503,463.35
1006	8/15/23	Peterson Conners LLP	Y	\$67,427.31		\$436,036.04
dep	8/29/23	Wave Runner sale proceeds	Y		\$10,000.00	\$446,036.04
	8/31/23	interest	Y		\$11.95	\$446,047.99
wire	9/20/23	Gryphon USA, Ltd. Ramona marketing advance	Y	\$12,126.00		\$433,921.99
	9/29/23	interest	Y		\$10.89	\$433,932.88
1007	10/3/23	Peterson Conners LLP	Y	\$28,731.22		\$405,201.66
1008	10/3/23	Hunt Ortman Palffy Nieves Inv. 102103	Y	\$901.87		\$404,299.79
1009	10/3/23	Dickinson Wright PLLC Inv. 1846072	Y	\$17,419.31		\$386,880.48
fees	10/16/23	wire and service fees <i>partially waived</i>	Y	\$90.00	\$40.00	\$386,830.48
1010	10/17/2023	Daniel's Landscaping, 19803 Vista Del Otero	Y	\$1,175.00		\$385,655.48
dep	10/27/23	ICON Aircraft, plane dock sale	Y		\$13,000.00	\$398,655.48
1011	10/31/23	Peterson Conners LLP	Y	\$14,915.61		\$383,739.87
	10/31/23	interest	Y		\$10.01	\$383,749.88
1012	11/2/23	Liquidation Partners, 19803 Vista Del Otero	Y	\$1,700.00		\$382,049.88
1013	11/14/23	Jimmy's Pool Service, Inv 16, 2543 Walnut	Y	\$500.00		\$381,549.88
1014	11/14/23	Daniel's Landscaping, 19803 Vista Del Otero	Y	\$1,200.00		\$380,349.88
1015	11/16/23	CBG, Inv. 2430 1 of 2	Y	\$322.48		\$380,027.40
1016	11/27/23	CBG, Inv. 2430 2 of 2	Y	\$361.48		\$379,665.92
	11/30/23	interest	Y		\$9.42	\$379,675.34
dep	12/12/23	sale proceeds, 19803 Vista Del Otero	Y		\$77,578.95	\$457,254.29
	12/29/2023	interest	Y		10.95	\$457,265.24

Exhibit B

THE HUNTINGTON NATIONAL BANK
PO BOX 1558 EA1W37
COLUMBUS OH 43216-1558



PETERSON CONNERS LLP
545 METRO PL S
DUBLIN OH 43017-5316

Have a Question or Concern?

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contact us at:

1-800-480-2001

www.huntington.com/
businessresources

Huntington Unlimited Plus Checking

Account: -----4754

Statement Activity From: 12/01/23 to 12/31/23		Beginning Balance	\$380,036.82
		Credits (+)	77,589.90
		Wire Transfer Credits	77,578.95
		Interest Earned	10.95
Days in Statement Period	31	Debits (-)	361.48
Average Ledger Balance*	429,796.23	Regular Checks Paid	361.48
Average Collected Balance*	429,796.23	Total Service Charges (-)	0.00
* The above balances correspond to the service charge cycle for this account.		Ending Balance	\$457,265.24

Average Percentage Yield Earned this period 0.029%

Other Credits (+)

Account:-----4754

Date	Amount	Description
12/12	77,578.95	INCOMING FEDWIRE TRANSFER
12/29	10.95	INTEREST PAYMENT

Checks (-)

Account:-----4754

Date	Amount	Check #	Date	Amount	Check #
12/07	361.48	1016			


(*) Indicates the prior sequentially numbered check(s) may have 1) been voided by you 2) not yet been presented 3) appeared on a previous statement or 4) been included in a list of checks.

Service Charge Summary

Account:-----4754

Previous Month Service Charges (-)	\$0.00
Total Service Charges (-)	\$0.00

Investments are offered through the Huntington Investment Company, Registered Investment Advisor, member FINRA/SIPC, a wholly-owned subsidiary of Huntington Bancshares Inc.

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**Balance Activity****Account:-----4754**

Date	Balance	Date	Balance	Date	Balance
11/30	380,036.82	12/12	457,254.29		
12/07	379,675.34	12/29	457,265.24		

In the Event of Errors or Questions Concerning Electronic Fund Transfers (electronic deposits, withdrawals, transfers, payments, or purchases), please call either 1-614-480-2001 or call toll free 1-800-480-2001, or write to The Huntington National Bank Research - EA4W61, P.O. Box 1558, Columbus, Ohio 43216 as soon as you can, if you think your statement or receipt is wrong or if you need more information about an electronic fund transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

1. Tell us your name, your business's name (if appropriate) and the Huntington account number (if any).
2. Describe the error or the transaction you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
3. Tell us the dollar amount of the suspected error. We will investigate your complaint or question and will correct any error promptly.

Verification of Electronic Deposits If you authorized someone to make regular electronic fund transfers of money to your account at least once every sixty days, you can find out whether or not the deposit has been received by us, call either 1-614-480-2001 or call toll free 1-800-480-2001.

Balancing Your Statement - For your convenience, a balancing page is available on our web site <https://www.huntington.com/pdf/balancing.pdf> and also available on Huntington Business Online.

Peterson Connors LLP

INVOICE

545 Metro Place South, Suite 435
 Dublin, OH 43017
 United States
 (614) 365-7000

Invoice # 7620
 Date: 01/25/2024

United States Southern District

Receiver / Root, et al. v. Silver, et al., 2:23cv512

Date	Notes	Timekeeper	Quantity	Rate	Total
12/01/2023	Attention to numerous emails re: Bayshore property.	Jerry E. Peer, Jr.	1.50	\$150.00	\$225.00
12/04/2023	Phone calls with T Hagerla re: closing of Ramona and vehicles.	Jerry E. Peer, Jr.	0.30	\$150.00	\$45.00
12/05/2023	Following up with lender re: foreclosure of Ramona.	Jerry E. Peer, Jr.	0.30	\$150.00	\$45.00
12/05/2023	Reviewing and signing closing package.	Jerry E. Peer, Jr.	0.80	\$150.00	\$120.00
12/06/2023	Attention to emails re: hard drive of phone and computer files. Attempting to access same. Attention to several emails and phone calls re: buyer wanting credit for missing tequila and other items and wanting home cleaned.	Jerry E. Peer, Jr.	2.40	\$150.00	\$360.00
12/07/2023	Attention to email from P Meredith re: needs for closing. Attention to email from M Sugarman re: closing.	Jerry E. Peer, Jr.	0.50	\$150.00	\$75.00
12/07/2023	Phone calls with T Haglera re: closing and distributions. Attention to closing documents and revisions thereto. Attention to several emails re: closing.	Jerry E. Peer, Jr.	3.20	\$150.00	\$480.00
12/08/2023	Attention to emails from M Daniels and I Gajary re: sale of Bayshore. Review of M Tine listing agreement re: to commissions.	Jerry E. Peer, Jr.	0.50	\$150.00	\$75.00
12/09/2023	Attention to several emails re: Ramona foreclosure and closing. Phone call with I Gajary re: funds being held by title company.	Jerry E. Peer, Jr.	2.80	\$150.00	\$420.00
12/11/2023	Attention to numerous emails re: closing. Review of closing documents. Phone calls re: closing.	Jerry E. Peer, Jr.	3.70	\$150.00	\$555.00

Exhibit C

	Attention to status of foreclosure on walnut property.				
12/12/2023	Attention to multiple emails re: closing and disbursements.	Jerry E. Peer, Jr.	0.80	\$150.00	\$120.00
12/13/2023	Revising Fifth Report.	Jerry E. Peer, Jr.	0.60	\$150.00	\$90.00
12/14/2023	Attention to anticipated net proceed from sales and cost to renovate Bayshore.	Jerry E. Peer, Jr.	1.50	\$150.00	\$225.00
12/19/2023	Attention to email re: landscaping at Bayshore property.	Jerry E. Peer, Jr.	0.20	\$150.00	\$30.00
12/19/2023	Attention emails re: Bayshore property.	Jerry E. Peer, Jr.	0.50	\$150.00	\$75.00
12/21/2023	Attention to plan for selling Walnut property and related concerns.	Jerry E. Peer, Jr.	2.10	\$150.00	\$315.00
12/27/2023	Attention to emails from M Tine re: sale of Bayshore property.	Jerry E. Peer, Jr.	0.50	\$150.00	\$75.00
				Subtotal	\$3,330.00
				Total	\$3,330.00

Statement of Account

Outstanding Balance	New Charges	Amount in Trust	Payments Received	Total Amount Outstanding
(\$0.00	+ \$3,330.00) - (\$0.00	+ \$0.00) = \$3,330.00

Please make all amounts payable to: Peterson Connors LLP

Payment is due upon receipt.

Payments more than 30 days overdue incur 1.5% per month interest charges.

Please notify us if your contact information has changed.

Our Tax ID: 20-8129097

Peterson Connors LLP

INVOICE

545 Metro Place South, Suite 435
 Dublin, OH 43017
 United States
 (614) 365-7000

Invoice # 7621
 Date: 01/25/2024

United States Southern District

Attorney / Root, et al. v. Silver, et al., 2:23cv512

Services

Date	Notes	Timekeeper	Quantity	Rate	Total
12/01/2023	Review motion for relief from stay filed by 555, memo contra filed by Vorys, emails with US Attorney's office regarding forfeiture issue, review our draft memo contra along with affidavits attached.	Gregory Peterson	4.10	\$250.00	\$1,025.00
12/01/2023	Research in support of memo contra motion to lift injunction. Drafting/revising memo contra and Affidavit in support. Review of Florida case pleadings/filings.	Jerry E. Peer, Jr.	5.40	\$250.00	\$1,350.00
12/01/2023	Attention to numerous texts and emails with JEP and GSP; revise, finish, and file memo in opposition to motion to lift stay; coordinate with Marco Tine regarding affidavit; attention to other receivership matters.	Istvan Gajary	5.70	\$250.00	\$1,425.00
12/04/2023	Attention to Root response to Motion to Lift Injunction.	Jerry E. Peer, Jr.	0.50	\$250.00	\$125.00
12/05/2023	Drafting/revising motion to abandon personal property and Range Rover. Drafting motion to sell Mercedes. Drafting orders granting same. Drafting motion to sell e-bike.	Jerry E. Peer, Jr.	2.70	\$250.00	\$675.00
12/05/2023	Assist with preparation of Motions. Attention to multiple emails and documents regarding Vista Del Otero. Reconcile bank account.	Catherine J. Schwartz	0.90	\$125.00	\$112.50

Exhibit D

12/05/2023	Revise, finish, and file motion to abandon personal property at Bleriot property and Range Rover; revise, finish, and file motion to sell Mercedes;; attention to numerous emails with co-counsel and lender as to foreclosure of California properties; prepare detailed email to lender regarding foreclosure at Walnut property.	Istvan Gajary	5.90	\$250.00	\$1,475.00
12/06/2023	Attention to preparation of interim report. Attention to foreclosure process/proceedings with Ramona and Walnut.	Jerry E. Peer, Jr.	2.90	\$250.00	\$725.00
12/06/2023	Emails with Attorney Peer and Escrow Officer Vargas about status of documents. Communications about inventory of physical items and condition inside of Vista Del Otero.	Catherine J. Schwartz	0.40	\$125.00	\$50.00
12/06/2023	Research and review Los Angeles recorder's office filings for Walnut property; attention to numerous emails and texts related to Ramona closing; prepare Fifth Interim Report.	Istvan Gajary	4.50	\$250.00	\$1,125.00
12/07/2023	Drafting motion to sell Heybike.	Jerry E. Peer, Jr.	0.70	\$250.00	\$175.00
12/07/2023	Email to counsel M Sugarman re: Ramona sale and foreclosure. Review of prior communications.	Jerry E. Peer, Jr.	0.30	\$250.00	\$75.00
12/07/2023	Attention to emails. Communicate with Attorneys and Escrow Officer Vargas about status of Certified Order [Doc 188]; assist with its overnight delivery to the title company in San Diego, California. Assist with preparation of Motion to sell Heybike.	Catherine J. Schwartz	0.70	\$125.00	\$87.50
12/07/2023	Continued revising and drafting of Fifth Interim Report; review case file for items to include; revise, finish, and file motion to sell Heybike; attention to numerous emails related to closing at Ramona property and issues with title company; trip to courthouse to obtain certified copy of ECF 188; review offer at Bayshore property.	Istvan Gajary	6.00	\$250.00	\$1,500.00
12/07/2023	Attention to numerous emails re closing of Ramona and related foreclosure.	Jerry E. Peer, Jr.	1.10	\$250.00	\$275.00
12/08/2023	Extensive communications (telephone calls, emails, and texts) with representatives from Invictus Capital, Newrez/Shellpoint, Chicago Title, Coastal First Escrow, ZBS Law, LLP, and others in attempt to resolve title issues with closing at Ramona property; obtain and review	Istvan Gajary	8.00	\$250.00	\$2,000.00

	ECS 207 reply memo; emails and texts related to same; update call with realtor and escrow agent ast to status of closing.				
12/09/2023	Attention to several emails re: Ramona foreclosure and closing.	Jerry E. Peer, Jr.	2.60	\$250.00	\$650.00
12/11/2023	Continued followup with numerous people on closing of Ramona property; attention to numerous emails and telephone calls related to same.	Istvan Gajary	5.20	\$250.00	\$1,300.00
12/11/2023	Attention to numerous emails related to closing sale of Ramona property and related foreclosure sale.	Jerry E. Peer, Jr.	1.80	\$250.00	\$450.00
12/12/2023	Coordinate wire of sale proceeds, 19803 Vista Del Otero - calls and emails with Ms. Rosa Vargas at Coastal First Escrow	Catherine J. Schwartz	0.30	\$125.00	\$37.50
12/12/2023	Sort and organize file related to sale of Ramona property; prepare Fifth Interim Report; attention to numerous emails related to other receivership items; continued attention to emails related to closing of Ramona property.	Istvan Gajary	6.20	\$250.00	\$1,550.00
12/12/2023	Attention to numerous emails re: Ramona foreclosure and closing.	Jerry E. Peer, Jr.	1.50	\$250.00	\$375.00
12/13/2023	Assist with Fifth Interim Report and finalization of exhibits.	Catherine J. Schwartz	0.80	\$125.00	\$100.00
12/13/2023	Drafting/revising 5th report.	Jerry E. Peer, Jr.	2.60	\$250.00	\$650.00
12/13/2023	Revise, finish, and file Fifth Interim Report; resolve discrepancy in bank account balance and ledger; attention to emails related to other receivership details.	Istvan Gajary	2.70	\$250.00	\$675.00
12/14/2023	Attention to post-Ramona closing emails; review file and correspondence with realtor about items needed for listing Walnut property for auction/sale and items needed to file motion to employ auctioneer.	Istvan Gajary	3.00	\$250.00	\$750.00
12/15/2023	Attention to emails and follow up on items needed to list Walnut property; review Court docket and filings; notes and organization of file.	Istvan Gajary	3.00	\$250.00	\$750.00
12/15/2023	Attention to issues re: sale of Ramona and Walnut properties.	Jerry E. Peer, Jr.	1.40	\$250.00	\$350.00
12/18/2023	Review and organization of papers and documents from visit to California properties; review details related to Walnut property; follow up on various motions.	Istvan Gajary	3.40	\$250.00	\$850.00

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12/18/2023	Attention to orders granting motion to sell and motion to abandon personal property.	Jerry E. Peer, Jr.	0.40	\$250.00	\$100.00
12/19/2023	Attention to various receivership items.	Istvan Gajary	1.00	\$250.00	\$250.00
12/21/2023	Attention to numerous details related to Walnut property listing; follow up on other receivership items; attention to details related to Bayshore property.	Istvan Gajary	2.80	\$250.00	\$700.00
12/27/2023	Attention to emails related to possible foreclosure at Walnut property; review recorder's site and auditor's site; attention to emails related to Bayshore property listing agreement.	Istvan Gajary	1.60	\$250.00	\$400.00
12/28/2023	Attention to emails re: foreclosure of Walnut property. Review of previous emails from lender stating they would not proceed with foreclosure.	Jerry E. Peer, Jr.	0.60	\$250.00	\$150.00
12/28/2023	Review file and attention to numerous emails with various people about lender's scheduled foreclosure sale of Walnut property; attention to other receivership items.	Istvan Gajary	3.00	\$250.00	\$750.00
12/29/2023	Emails to CA counsel and lender/servicer re: Walnut foreclosure.	Jerry E. Peer, Jr.	0.70	\$250.00	\$175.00
12/29/2023	Attention to multiple emails regarding the Walnut foreclosure and agreement of cash to be wired next possible business day.	Catherine J. Schwartz	0.40	\$125.00	\$50.00
12/29/2023	Continued efforts to negotiate resolution to lender's attempts to foreclose at Walnut property; make arrangements with KS to wire monies to lender.	Istvan Gajary	2.60	\$250.00	\$650.00
12/29/2023	Attention to emails re: sale of Bayshore property.	Jerry E. Peer, Jr.	0.50	\$250.00	\$125.00
Services Subtotal					\$24,037.50

Expenses

Date	Notes	Quantity	Rate	Total
12/08/2023	Purchase of USPS postage for service of filed Docs 196, 198, 199, and 205	4.00	\$3.99	\$15.96
Expenses Subtotal				\$15.96
Subtotal				\$24,053.46
Total				\$24,053.46

Statement of Account

Outstanding Balance	New Charges	Amount in Trust	Payments Received	Total Amount Outstanding
(\$0.00	+ \$24,053.46) - (\$0.00	+ \$0.00) = \$24,053.46

Please make all amounts payable to: Peterson Conners LLP

Payment is due upon receipt.

Payments more than 30 days overdue incur 1.5% per month interest charges.

Please notify us if your contact information has changed.

Our Tax ID: 20-8129097

IN ACCOUNT WITH

DICKINSON WRIGHT PLLC

1801 E. BROAD STREET, SUITE 8400
COLUMBUS, OH 43215
TELEPHONE: (614) 744-2570
<http://www.dickinsonwright.com>
FEDERAL I.D. #38-1364333

INVOICE DATE: DECEMBER 5, 2023
INVOICE NO.: 1870710

JERRY E PEER JR.
TWO MIRANOVA PLACE, SUITE 330
COLUMBUS, OH 43215

ATTN: Jerry E. Peer, Jr.

CLIENT/MATTER NO.: 106102-00001

RE: COUNSEL FOR RECEIVER - ROOT, INC., ET AL. V. SILVER ET AL.

PRIVILEGED AND CONFIDENTIAL

FOR PROFESSIONAL SERVICES THROUGH NOVEMBER 30, 2023

USD

TOTAL FEES CURRENT INVOICE \$ 4,778.50

TOTAL CURRENT INVOICE \$ 4,778.50

OUTSTANDING INVOICES ON THE MATTER BILLED ON THIS CURRENT INVOICE AS OF DECEMBER 5, 2023

<u>INVOICE</u>	<u>DATE</u>	<u>BILLED VALUE</u>	<u>PAYMENTS</u>	<u>OUTSTANDING</u>
1852826	10/09/23	9,458.00	(0.00)	9,458.00
1862856	11/08/23	904.00	(0.00)	904.00

TOTAL OUTSTANDING FROM PRIOR INVOICES \$ 10,362.00

TOTAL AMOUNT DUE \$ 15,140.50

Remittance Instructions				
Terms: Due and Payable Upon Receipt				
Mail To:	Pay Online:	Wire Instructions:	ACH Instructions:	
Dickinson Wright PLLC 2600 W. Big Beaver Suite 300 Troy, MI 48084	Credit Card and ACH/eCheck Payments We accept Visa®, Mastercard®, American Express® and Discover® https://www.dickinson-wright.com/invoice-payment	JP Morgan Chase Bank N.A. 28660 Northwestern Highway Southfield, MI 48034 ABA Number: 021 000 021 Swift Code: CHASUS33 (International) Account# 38852	JP Morgan Chase Bank N.A. 28660 Northwestern Highway Southfield, MI 48034 ABA Number: 072 000 326 Account# 38852	

(Please reference your client/invoice numbers when paying electronically)

Exhibit E

IN ACCOUNT WITH



180 E. BROAD STREET, SUITE 8400
COLUMBUS, OH 43215
TELEPHONE: (614) 744-2570
<http://www.dickinsonwright.com>
FEDERAL I.D. #38-1364333

COUNSEL FOR RECEIVER - ROOT, INC., ET AL. V. SILVER ET AL.
CLIENT/MATTER NO.: 106102-00001

INVOICE DATE: DECEMBER 5, 2023
INVOICE NO.: 1870710
PAGE 2

CURRENT INVOICE DETAIL

<u>DATE</u>	<u>INITIALS</u>	<u>SERVICES</u>	<u>HOURS</u>	<u>VALUE</u>
11/07/23	JRS	Receipt and review of Petition and draft client update.	0.4	226.00
11/08/23	HV	Review and analyze the Miami 555 Appellate Brief.	0.8	424.00
11/08/23	HV	Review various correspondence from counsel for Miami 555 as well as his client directly to the Receiver and another counsel also communicating directly with the Receiver regarding their efforts to take a deed in lieu of foreclosure.	0.4	212.00
11/08/23	JRS	Exchange of emails with client and opposing counsel regarding status and settlement offer.	0.3	169.50
11/10/23	JRS	Multiple email exchanges regarding offers to settle.	0.2	113.00
11/13/23	JRS	Receipt and review of multiple emails from opposing counsel regarding settlement.	0.2	113.00
11/14/23	HV	Review and analyze the Miami 555 Petition for Extraordinary Writ Relief in order to better understand the arguments and issues presented.	0.8	424.00
11/14/23	JRS	Exchange emails with opposing counsel regarding status and settlement.	0.2	113.00
11/16/23	JRS	Review case law for response to Writ.	0.8	452.00
11/20/23	JRS	Draft Motion to Extend Time.	0.8	452.00
11/20/23	JRS	Review research regarding petition for writ.	1.6	904.00
11/20/23	JRS	Exchange of emails with client regarding status.	0.2	113.00
11/20/23	JRS	Review Miami 555's Motion for Relief.	0.3	169.50
11/21/23	HV	Review and analyze correspondence from the counsel and lender for Miami 555 and responses from the Receiver and his counsel.	0.3	159.00
11/22/23	JRS	Revise and finalize motion to extend time.	0.4	226.00
11/25/23	JRS	Draft response to Petition.	0.9	508.50
TOTAL FEES			8.6	\$ 4,778.50
TOTAL CURRENT INVOICE				\$ <u>4,778.50</u>

IN ACCOUNT WITH



180 E. BROAD STREET, SUITE 8400
COLUMBUS, OH 43215
TELEPHONE: (614) 744-2570
<http://www.dickinsonwright.com>
FEDERAL I.D. #38-1364333

COUNSEL FOR RECEIVER - ROOT, INC., ET AL. V. SILVER ET AL.
CLIENT/MATTER NO.:106102-00001

INVOICE DATE: DECEMBER 5, 2023
INVOICE NO.: 1870710
PAGE 3

TIMEKEEPER SUMMARY				
<u>TIMEKEEPER</u>	<u>TITLE</u>	<u>RATE</u>	<u>HOURS</u>	<u>VALUE</u>
JONATHAN R. SECREST	MEMBER	565.00	6.30	3,559.50
H. STEVEN VOGEL	MEMBER	530.00	2.30	1,219.00
TOTAL FEES CURRENT INVOICE			8.60	\$ 4,778.50